

## **REMARKS/ARGUMENTS**

Claims 1, 5-9, 12, 15, 16 and 20-25 are pending. Claims 2-4, 10, 11, 13, 14 and 17-19 are cancelled without prejudice. No admission or representation is made by the present argument other than that explicitly provided herein.

### **Status of Related Applications**

The following U.S., foreign, and international patent applications are or may be considered to be related to the application herein. Relevant documents pertaining to such cases are or have been provided in one or more separately-filed Information Disclosure Statements. The status of such applications is summarized in order to ensure that the Office is fully apprised of the current state thereof. In the event the Office has any questions about the identified cases, the Examiner is requested to call the Applicant's representative at the number below.

| <b>Serial No.</b> | <b>Country</b> | <b>Status</b> |
|-------------------|----------------|---------------|
| 2,497,492         | Canada         | Granted       |
| 1,569,131         | Europe         | Granted       |
| 1,569,131         | Germany        | Registered    |
| 1,569,131         | Spain          | Registered    |
| 1,569,131         | France         | Registered    |
| 1,569,131         | United Kingdom | Registered    |
| 1076176           | Hong Kong      | Registered    |
| 1,569,131         | Italy          | Registered    |

### **Claim Amendments**

Claim 9 has been amended by the removal of reference characters, for clarity.

### **Claims Rejections - 103**

*Claims 1, 7-9 and 12*

Claims 1, 7-9 and 12 stand rejected under 35 U.S.C. 103(a) having regard to Lin et al. US 6,999,916 (hereinafter “Lin”) in view of Stringham US 2002/0188670

(hereinafter “Stringham”). The Applicant respectfully disagrees for at least the reasons provided below.

For the purposes of this response, claim 1 is representative of independent claims 9 and 12. Claim 1 describes a method for translating a portion of a text-based communication to be transmitted from a wireless device. The described method allows a user, while composing a text-based communication, to indicate portions of text for which a translation is required, using a trigger symbol. The text-based communication is monitored for the presence of the trigger symbol, and a translation is obtained for the text indicated by the trigger symbol. When the communication is to be sent, the user is provided with one or more prompts, each prompt corresponding to each translated text and including the corresponding translation for the translated text. The user is then able to respond to each prompt, for example by accepting, declining or requesting a different translation for each of the translated text.

In particular, claim 1 recites: “a method of translating a portion of a text-based communication to be transmitted from the wireless device”, “determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate” and “providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation.”

Lin and Stringham fail to teach all the features of claim 1.

The Office Action cites Lin as teaching “a method of translating a portion of a text-based communication to be transmitted from the wireless device” and “determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate.” The Applicant respectfully submits that: i) Lin does not teach translating a text-based communication that is sent from a wireless device; and ii) Lin does not teach any trigger symbol.

*i) Lin does not teach translating a text-based communication that is sent out by a wireless device*

Claim 1 recites “a method of translating a portion of a text-based communication to be transmitted from the wireless device.” That is, claim 1 is concerned with translation, by the wireless device, of text-based communication that is to be sent out from the same wireless device.

As discussed in previously-submitted responses, such as the Appeal Brief dated April 21, 2010, Lin is not concerned at all with providing translations for a text-based communication that is sent out by a wireless device. Rather, Lin provides translations for pre-existing text in a web page. Lin does not provide the advantage that a user can compose a text-based communication using words in a first language and have those words translated to a second language when the communication is sent, as in the present claims.

To the contrary, Lin suggests the opposite approach, where text or voice is selected on a web page and is translated using a site-integrated method, for delivering the translated text to the wireless device. Lin does not teach or suggest translating a portion of a text-based communication to be transmitted from a wireless communications device, as claimed.

Therefore, Lin does not teach “a method of translating a portion of a text-based communication to be transmitted from the wireless device.” This feature is also not taught by Stringham.

*ii) Lin does not teach a trigger symbol*

The Office Action cites figure 3 of Lin as teaching “determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate.” Figure 3 of Lin shows highlighting of text provided on a web page and

translation of the highlighted text. The Office Action, on page 4, notes “highlighting is a form of a trigger” in citing figure 3 of Lin.

With respect, what is being claimed is a trigger symbol and not just any trigger. A trigger symbol may be, for example, a text-based character, such as “\*” that may be inserted into the text-based communication as the user is composing the communication. It would be tedious and annoying to a user to have to constantly stop entry of text in order to highlight text requiring a translation. In contrast, a trigger symbol can be easily and conveniently inserted into a text-based communication as part of the entry of text. A person skilled in the art would understand that highlighting text is not the same as a trigger symbol, and does not serve the same function.

Therefore, the Applicant submits that Lin does not teach a “trigger symbol indicating which text to translate,” as required by claim 1. This feature also is not taught by Stringham.

The Office Action admits that Lin does not teach “stopping the continual monitoring...”, “providing one or more prompts...” and “sending the text-based communication...” Stringham is relied upon to teach these features. The Office Action suggests that it would be obvious to a person skilled in the art to combine Lin with Stringham “to allow for a prompt for translation of select portions of text (Stringham [0022] & Fig. 5), wherein an automatic or user-selected language translation feature integrated within a message system can handle for instance e-mail messages transmitted in a foreign language that could now become understandable to a user or correspondent...”

The Applicant submits that: iii) Stringham is not concerned with translating, by a wireless device, a text-based communication that is sent out by the same wireless device; and that iv) Stringham does not teach a “providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation.”

*iii) Stringham is not concerned with translating, by a wireless device, a text-based communication that is sent out by the same wireless device*

In the present claims, the translation is carried out by a wireless device, in order to translate a text-based communication that is sent out by the same wireless device. That is, the translation provided by the present claims is provided to the composer of the communication and not the recipient. In contrast, Stringham suffers from the same deficiency as Lin in that the translation is being offered to the recipient of pre-existing text, namely a received e-mail message.

Therefore, Stringham does not remedy the failure of Lin to teach “a method of translating a portion of a text-based communication to be transmitted from the wireless device.”

*iv) Stringham does not teach “where each prompt comprises the corresponding translation”*

Claim 1 recites “providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation.” The Office Action cites the dialog window of Stringham, as shown in figure 5 and described in paragraph [0022] of Stringham, as teaching this feature of the present claims.

The dialog window shown in figure 5 of Stringham asks the user “Do you want to translate this e-mail message?” This provides the user with the option of deciding whether the message should be translated. That is, the dialog window is provided before translation takes place. Thus there is neither “previously translated text” nor “corresponding translation” provided in the dialog window of Stringham. In contrast, the present claims provide a prompt after translation has taken place. The prompt of the present claims correspond to “previously translated text” and “comprises the corresponding translation.” Such a prompt is not provided in the dialog window of Stringham.

Therefore, Stringham does not remedy the admitted failure of Lin to teach “providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation.”

In view of the foregoing, the Applicant submits that the feature of independent claims 1, 9 and 12 are not all taught or suggested by Lin and Stringham, whether taken alone or in combination. Thus, claims 1, 9 and 12, and claims 7 and 8 depending therefrom, are all patentable over Lin and Stringham.

*Claims 5, 6, 15, 16 and 20-25*

Claims 5, 6, 15, 16 and 20-25 stand rejected under 35 U.S.C. 103(a) having regard to Lin in view of Stringham, and further in view of Abir US 2004/0122656 (hereinafter “Abir”). The Applicant respectfully disagrees.

Claims 5, 6, 15, 16 and 20-25 depend from independent claims 1, 9 and 12, and therefore are patentable at least by virtue of their dependencies on the independent claims.

**Conclusion**

It is believed that the Applicant has responded to each ground of rejection raised by the Examiner, and that the claims, as presented, are in condition for immediate allowance. Favourable reconsideration and allowance of the application are respectfully requested. Should the Examiner have any questions in connection with the Applicant’s submissions, please contact the undersigned.

If any extension of time under 37 C.F.R. 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,

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